

# भारत का राजपत्र The Gazette of India

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PART II—Section 2

प्राधिकार से प्रकाशित

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NEW DELHI, MONDAY, MAY 14, 1979/VAISAKHA 24, 1901

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

## LOK SABHA

The following Bills were introduced in Lok Sabha on the 14th May, 1979:—

BILL NO. 71 OF 1979

*A Bill to amend the Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, 1978.*

Be it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. This Act may be called the Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Amendment Act, 1979.

Short title.

13 of 1978,

2. In section 5 of the Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, 1978 (hereinafter referred to as the principal Act), in sub-section (2), in clause (b), the following shall be, and shall be deemed always to have been, inserted at the end, namely:—

Amendment of section 5.

“, but excluding loans advanced, on or after such date, by a bank to the Company to the extent such loans have been utilised by the Company for the re-payment of, or the payment of interest on, secured loans advanced to the Company by a bank at any time before such date”.

3. In the Schedule to the principal Act, in Category III, after the words “Secured loans”, the following shall be, and shall be deemed always to have been, inserted, namely:—

Amendment of the Schedule.

“, including loans advanced, on or after the date of taking over, by a bank to the Company to the extent such loans have been utilised by the Company for the re-payment of, or the payment of interest on, secured loans advanced to the Company by a bank at any time before the date of taking over”.

## STATEMENT OF OBJECTS AND REASONS

The Government of India assumed the management of Hindustan Tractors Limited, Vishwamitri, Baroda in March, 1973 under the Industries (Development and Regulation) Act, 1951, and appointed Gujarat Agro Industries Corporation as its Authorised Controller for a period of five years. The undertakings of the Company were acquired by the Central Government with effect from the 1st April, 1978, on the enactment of the Hindustan Tractors Limited (Acquisition and Transfer of Undertakings) Act, 1978. The undertakings were vested on the same date in the State Government of Gujarat and a new company in the name of Gujarat Tractor Corporation Ltd. has also been formed to carry on the activity.

2. Section 5 of the Act specifies the manner in which the liabilities of the Hindustan Tractors Limited prior to the taking over of the management of the Company and after the taking over of the management of the Company should be taken care of. According to this section, liabilities arising in respect *inter alia* of secured loans advanced by a bank to the Company before the date of taking over shall be enforceable against the Company. According to Part B of the schedule to the Act, secured loans relating to the pre-take over management period fall within Category III priority and the intention of the Act was that the secured loans advanced by banks to the Company before the take over of the Company should be met from out of the amount payable to the Company for the transfer to, and vesting in, the Central Government of the undertakings of the Company under section 8 of the Act. It was envisaged that the secured loans advanced by the State Bank of India to the Company before the take over of the Company would qualify for payment under Category III of Part B of the Schedule and this consideration was taken into account in determining the amount which has been specified in section 8 as the amount payable to the Company. On further examination, it has been discovered that in view of the accounting treatment given in the books of the State Bank of India by reason of the adjustment of the loans given by the bank after the take over against the secured loans given by the Bank to the Company before the take over, all the amounts due to the State Bank have to be treated as post-take over loans. The post-take over loans which were advanced by the State Bank of India to the extent they were utilised for meeting the pre-take over secured loans advanced by the bank to the Company should be entitled to the same treatment to which the pre-take over secured loans which were so defrayed would have been entitled. The amendments proposed in the Bill are for the purpose of securing this position.

NEW DELHI;

GEORGE FERNANDES.

The 7th May, 1979.

## BILL No. 76 OF 1979

*A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu for the services of a part of the financial year 1979-80.*

BE it enacted by Parliament in the Thirtieth Year of the Republic of India as follows:—

1. This Act may be called the Goa, Daman and Diu Appropriation (Second Vote on Account) Act, 1979.

Short  
title.

2. From and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate [inclusive of the sums specified in column 5 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Act, 1979,] to the sum of forty-four crores, fifty-eight lakhs and twelve thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1979-80.

With-  
drawal of  
Rs. 44,  
58,12,000  
out of  
the  
Consoli-  
dated  
Fund  
of the  
Union  
territory  
of Goa,  
Daman  
and Diu  
for the  
financial  
year  
1979-80.

Appropriation.

3. The sums authorised to be withdrawn from and out of the Consolidated Fund of the Union territory of Goa, Daman and Diu by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

**THE SCHEDULE**  
(See sections 2 and 3)

1 No. of Vote/ Appropriation	2 Services and purposes	3 Summs not exceeding		
		Voted	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Union Territory Legislature and Elections . Revenue	5,75,000	23,000	5,98,000
2	Miscellaneous General Services . . . Revenue	62,50,000	2,79,000	65,29,000
3	Administration of Justice Revenue	11,91,000	3,02,000	14,93,000
4	Land Revenue, Stamps and Registration . Revenue	12,45,000	..	12,45,000
5	State Excise, Sales Tax and other Taxes and Duties . . . Revenue	16,64,000	..	16,64,000
6	Taxes on Vehicles . Revenue	3,09,000	..	3,09,000
7	Police and Fire Services Revenue	94,41,000	..	94,41,000
8	Jails . . . . Revenue	6,83,000	..	6,83,000
9	Stationery and Printing Revenue	15,75,000	..	15,75,000
10	Other General Services Revenue	6,60,000	..	6,60,000
11	Pension . . . Revenue	44,33,000	..	44,33,000
12	Public Works, Housing and Urban Development . . . Revenue	1,70,77,000	32,000	1,71,09,000
	Capital	2,24,67,000	..	2,24,67,000
13	Roads and Bridges , . Revenue	79,39,000	..	79,39,000
	Capital	1,27,10,000	..	1,27,10,000
14	Education, Art and Culture . . . Revenue	6,17,58,000	..	6,17,58,000
	Capital	10,12,000	..	10,12,000
15	Medical, Family Welfare and Public Health, Sanitation and Water Supply . . . Revenue	3,87,26,000	..	3,87,26,000
	Capital	1,61,00,000	..	1,61,00,000
16	Information and Publicity Revenue	8,93,000	..	8,93,000
17	Labour and Employment . Revenue	34,02,000	..	34,02,000

1	2	3		
No. of Vote/ Appropriation	Services and purposes	Sums not exceeding		
		Voted	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
18	Social Security and Welfare, Relief on account of Natural Calamities and Food . . . Revenue	41,24,000	..	41,24,000
	Capital	5,25,85,000	..	5,25,85,000
19	Cooperation and Community Development . Revenue	47,99,000	..	47,99,000
	Capital	34,33,000	..	34,33,000
20	Other Economic Services and Mines and Minerals Revenue	19,76,000	..	19,76,000
21	Agriculture and Allied Services . . . Revenue	2,11,63,000	..	2,11,63,000
	Capital	2,24,24,000	..	2,24,24,000
22	Irrigation and Power Projects . . . Revenue	4,08,33,000	..	4,08,33,000
	Capital	5,57,93,000	..	5,57,93,000
23	Industries . . . Revenue	33,34,000	..	33,34,000
	Capital	73,21,000	..	73,21,000
24	Road and Water Transport Services (including Ports) . . . Revenue	32,68,000	..	32,68,000
	Capital	7,19,000	..	7,19,000
25	Tourism . . . Revenue	18,08,000	..	18,08,000
	Capital	78,75,000	..	78,75,000
26	Loans and advances by Union Territory Government . . . Capital	36,11,000	..	36,11,000
	TOTAL	44,51,76,000	6,36,000	44,58,12,000

### STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of section 29(1) of the Government of Union Territories Act, 1963, read with section 31 thereof and the Order of the President made on the 27th April, 1979 under section 51 of that Act to provide for the appropriation out of the Consolidated Fund of the Union territory of Goa, Daman and Diu of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by the Lok Sabha in respect of the estimated expenditure of the Government of Goa, Daman and Diu for a part of the financial year 1979-80.

SATISH AGARWAL

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### PRESIDENT'S RECOMMENDATION UNDER THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

[Copy of letter No. F. 2(99)-B(S)/79, dated the 10th May, 1979 from Shri Satish Agarwal, Minister of State in the Ministry of Finance to the Secretary, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services of a part of the financial year 1979-80 recommends, under sub-sections (1) and (3) of section 23 and section 31 of the Government of Union Territories Act, 1963, read with the Order made by him on the 27th April, 1979 under section 51 of the said Act, the introduction of the Goa, Daman and Diu Appropriation (Second Vote-on-Account) Bill, 1979 in and the consideration of the Bill by Lok Sabha.

2. The Bill will be introduced in Lok Sabha immediately after the Demands for Grants 'on account' for expenditure of the Union Territory of Goa, Daman and Diu for a part of the financial year 1979-80 have been voted.

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AVTAR SINGH RIKHY,  
*Secretary.*

